

JOURNAL OF THE HOUSE.

Wednesday, February 26, 2014.

Met according to adjournment, at eleven o'clock A.M., with Mr. Donato of Medford in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Pledge of allegiance.

At the request of the Chair (Mr. Donato), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Statement Concerning Representative Kulik of Worthington.

A statement of Mr. Rushing of Boston concerning Mr. Kulik of Worthington was spread upon the records of the House, as follows:

Statement concerning Mr. Kulik of Worthington.

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative Kulik of Worthington, was unable to be present in the House Chamber for today's sitting due to his attending to a family medical matter. His missing of roll calls today is due entirely to the reason stated. If he could have been present today, he would have voted in the affirmative on all 3 roll calls.

Resolutions.

Carmella Fernandes.

Resolutions (filed with the Clerk by Mr. Fernandes of Milford) congratulating Carmella Fernandes on the occasion of her ninetieth birthday, were referred, under Rule 85, to the committee on Rules.

Mr. Binienda of Worcester, for said committee, reported that the resolutions ought to be adopted. Under suspension of the rules, on motion of Mr. Wong of Saugus, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Communications.

Communications

Bristol County Registry of Deeds,— technology expenditures.

From the Bristol County Registry of Deeds (pursuant to Section 2K44 of Chapter 29 of the General Laws) submitting its plan for expenditure of technological improvements from the County Registers Technological Fund [copies of said report forwarded to the committee on Ways and Means and committee on Post Audit and Oversight];

E.B.T. cards,— violations report.

From the Department of Transitional Assistance (see Section 51(d) of Chapter 18 of the General Laws) submitting its semiannual enforcement and violations report of direct cash assistance within the Electronic Benefit Transfer Program; and

Attleboro, etc.,— regional transit.

From the Greater Attleboro Taunton Regional Transit Authority (GATRA) (see section 8(g) of Chapter 161B of the General Laws) submitting its annual report for the fiscal year ended June 30, 2013;

Severally were placed on file.

Petitions.

Petitions severally were presented and referred as follows:

By Mr. Holmes of Boston, a petition (accompanied by bill, House, No. 3913) of Russell E. Holmes (with the approval of the mayor and city council) that the city of Boston be authorized to increase the number of licenses for the sale of alcoholic beverages in said city. To the committee on Consumer Protection and Professional Licensure. Boston,—
alcoholic
beverages.

By Mr. Michlewitz of Boston, a petition (accompanied by bill, House, No. 3914) of Aaron Michlewitz (with the approval of the mayor and city council) relative to the preparation of certain bilingual ballots in the city of Boston. To the committee on Election Laws. Boston,—
ballots.

By Mr. Keenan of Salem, a petition (accompanied by bill, House, No. 3915) of John D. Keenan and Joan B. Lovely (with the approval of the mayor and city council) relative to amending the charter of the city of Salem concerning the office of mayor in said city. To the committee on Municipalities and Regional Government. Salem,—
mayor.

Severally sent to the Senate for concurrence.

Mrs. O’Connell of Taunton presented a petition (subject to Joint Rule 12) of Shaunna O’Connell and others relative to the posting of public hearing notices by the joint committee on Ways and Means; and the same was referred, under Rule 24, to the committee on Rules. Joint Ways
and Means,—
hearings.

Papers from the Senate.

The House Bill authorizing the town of Stoneham to grant five additional licenses for the sale of alcoholic beverages to be drunk on the premises (House, No. 3786), came from the Senate passed to be engrossed, in concurrence, with amendments striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2015; and striking out the title and inserting in place thereof the following title: “An Act authorizing the town of Stoneham to grant 5 additional licenses for the sale of all alcoholic beverages to be drunk on the premises.” The amendments were referred, under Rule 35, to the committee on Bills in the Third Reading. Burlington,—
liquor
licenses.

Bills

Establishing a sick leave bank for Alexander Rodriguez, an employee of the Trial Court (Senate, No. 1968) (on a petition); and A. Rodriguez,—
sick leave.

Establishing a sick leave bank for Angela Furey, an employee of the Trial Court (Senate, No. 1998) (on a petition); Angela Furey,—
sick leave.

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kafka of Stoughton, for said committee, reported that the matters be scheduled for consideration by the House.

Under suspension of the rules, on motion of Mr. Mariano of Quincy, the bills were read a second time forthwith; and they were ordered to a third reading.

Private construction contracts.

A Bill promoting fairness in private construction contracts (Senate, No. 873) (on a petition), passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Schedule.

Sewer charges,— tax credit.

A report of the committee on Public Service, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 1269) of Anthony W. Petrucci for legislation to establish a tax credit for sewer charges paid for certain owner-occupied residences,— and recommending the same be referred to the committee on the Revenue,— accepted by the Senate, was considered forthwith, under Rule 42; and it was accepted, in concurrence.

Petitions severally were referred, in concurrence, under suspension of Joint Rule 12, as follows:

Net metering.

Petition (accompanied by bill, Senate, No. 2019) of Anthony W. Petrucci for legislation relation to net metering; and

Broadband Institute.

Petition (accompanied by bill, Senate, No. 2020) of Benjamin B. Downing and Stephen Kulik for legislation relative to the Massachusetts Broadband Institute;

Severally to the committee on Telecommunications, Utilities and Energy.

Reports of Committees.

Leanne O'Donoghue,— sick leave.

By Mr. Binienda of Worcester, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the petition of Christine E. Canavan for legislation to establish a sick leave bank for Leanne O'Donoghue, an employee of the Department of Children and Families. Under suspension of the rules, on motion of Mr. Mariano of Quincy, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service. Sent to the Senate for concurrence.

Recess.

Recess.

At two minutes after the hour of eleven o'clock A.M., on motion of Mr. Barrows of Mansfield (Mr. Donato of Medford being in the Chair), the House recessed until one o'clock P.M.; and at twenty-three minutes after one o'clock the House was called to order with Mrs. Haddad of Somerset in the Chair.

Engrossed Bill — Land Taking.

Fall River,— park land.

The engrossed Bill authorizing the city of Fall River to use certain park land for combined sewer overflow control (see Senate, No. 1851) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Bill enacted (land taking),— yea and nay No. 294.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution);

and on the roll call 148 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 294 in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Orders of the Day.

The House Bill establishing a sick leave bank for Tracy Longvall-Rivera, an employee of the Department of Youth Services (House, No. 3904), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

Third reading bill.

Senate bills

Authorizing the town of Webster to issue 1 additional license for the sale of all alcoholic beverages to be drunk on the premises of 41 Worcester road (Senate, No. 1989); and

Second reading bills.

Authorizing the town of Webster to issue 5 additional alcoholic beverage licenses to be drunk on the premises located in a specific area, known as “Downtown Webster 2010 Slum and Blight Inventory” (Senate, No. 1990); and

House bills

Relative to requiring insurance for taxicabs and commercial vehicles (House, No. 854);

Relative to the anti-arson application for dwelling policies (House, No. 886);

Amending the Boston Fair Housing Commission’s power to enforce by judicial power the provisions of Title VIII (House, No. 3625);

Authorizing the Department of Fish and Game to exchange a parcel of land in the town of Grafton in return for the conveyance of other property in the same town (House, No. 3775); and

Authorizing the town of Winchester to continue employment of police chief Kenneth C. Albertelli (House, No. 3791);

Severally were read a second time; and they were ordered to a third reading.

The House Bill relative to bullying in schools (House, No. 3909), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Bullying in schools.

After remarks on the question on passing the bill to be engrossed, the sense of the House was taken by yeas and nays at the request of Ms. Piesch of Wellesley; and on the roll call 145 members voted in the affirmative and 4 in the negative.

Bill passed to be engrossed—yea and nay No. 295.

[See Yea and Nay No. 295 in Supplement.]

Therefore the bill (House, No. 3909) was passed to be engrossed. The same member then moved that this vote be reconsidered, and, the motion to reconsider was considered forthwith; and it prevailed.

Pending the recurring question on passing the bill to be engrossed, Mrs. Nyman of Hanover moved to amend it in section 4 (as published) by adding the following paragraph:

Bullying in schools.

“(m) Each school district, charter school, approved private day or residential school or collaborative school may adopt an anti-bullying seal to represent the district or school’s commitment to bullying prevention and intervention.”

The amendment was adopted; and the bill, as amended, was passed to be engrossed. The bill (House, No. 3909, amended) then was sent to the Senate for concurrence.

Newborns,—
heart tests.

The Senate Bill relative to newborn pulse oximetry screenings for congenital heart defects (Senate, No. 1919, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Bill passed to
be engrossed—
yea and nay
No. 296.

After remarks on the question on passing the bill to be engrossed, the sense of the House was taken by yeas and nays at the request of Ms. Garlick of Needham; and on the roll call 147 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 296 in Supplement.]

Therefore the bill (Senate, No. 1919, amended) was passed to be engrossed, in concurrence.

Subsequently a statement of Mr. Heroux of Attleboro was spread upon the records of the House, as follows:

Statement of
Mr. Heroux
of Attleboro.

MR. SPEAKER: I would like to call to the attention of the House the fact that, during the previous roll call, I was absent from the House Chamber on official business in another part of the State House and therefore I was not recorded. Had I been present, I would have voted in the affirmative.

Order.

On motion of Mr. DeLeo of Winthrop,—

Next
sitting.

Ordered, That when the House adjourns today, it adjourn to meet tomorrow at eleven o’clock A.M.

Accordingly, without further consideration of the remaining matters in the Orders of the Day, at twenty minutes before three o’clock P.M., on motion of Mr. Hill of Ipswich (Mrs. Haddad of Somerset being in the Chair), the House adjourned, to meet the following day at eleven o’clock A.M., in an Informal Session.